

JUSTICE BEHAVIORAL HEALTH COMMITTEE
9 March 2016 Lincoln, Nebraska

MEETING MINUTES

The Justice Behavioral Health Committee (JBHC) of the Community Corrections Division met Wednesday, March 9, 2016, at Trabert Hall, 2202 S. 11th Street, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the *Lincoln Journal Star*. The meeting was held at Trabert Hall to offer video conferencing for members who travel distances. Kathy Seacrest and Tom Maxson attended by video conferencing.

Members Present:

Scott Carlson
Dave Carver
Shari Dawson / Linda Wittmuss
Darrell Fisher/ Michael Overton
Cathy Gibson-Beltz/Anne Hansen
Kathleen Grant
Tony Green/Nathan Busch
Lori Griggs
Joan Huss
Natalie Johnson
Linda Krutz
Tom Maxson (video)
Deb Minardi/Gene Cotter
Joe Nigro
Bruce Prenda*
Adam Proctor
Brenda Rohren
Steve Rowoldt / Jacey Nordmeyer
Julie Scott
Kathy Seacrest (video)
Ryan Spohn / Laura Schoenrock
Shane Stutzman
Joe Swoboda

Members Absent:

Angie Apthorpe
Jeff Beaty
Christine Chasek
Kim Etherton*
Troy Greve
Randy Kohl/Stephanie Bruhn
Dallas Massey
Lisa Sample
Mike Tolley
Nancy Wilson-Hintz

Division Staff Present:

Kitty Policky
Laurie Holman

Others Present:

Julie Micek
Jeremy Behrends
Dean Rohwer

* Indicates excused absence

1. CALL TO ORDER

Co-Chair Julie Scott, Justice Behavioral Health Specialist, Probation, called to order the March 9, 2016 meeting of the Justice Behavioral Health Committee (JBHC) at 9:06 a.m. at Trabert Hall, 2202 S. 11th Street, Lincoln, Nebraska. It was announced that the meeting was subject to the Nebraska Open Meetings Act and was duly posted and published in compliance with the Open Meetings Act and the agenda was kept current in the office of the Crime Commission. Materials used for the meeting were available in the public folder for inspection. A copy of the Act is displayed. Attendance is indicated above. Known absences are as follows: Angie Apthorpe, Jeff Beaty, Christine Chasek, Kim Etherton, Troy Greve, Stephanie Bruhn, Dallas Massey, Adam Proctor, Lisa Sample, Mike Tolley, and Nancy Wilson-Hintz. Video conferencing: Tom Maxson, and Kathy Seacrest. Each member introduced him or herself and their association with the

committee. Newly elected member for position #19, a licensed psychologist, Dr. Joseph Swoboda, introduced himself with a brief professional background. Remaining members introduced him or herself and their association with the committee.

2. APPROVAL OF MINUTES

Members reviewed the December 9, 2015 meeting minutes making changes on page two identifying Joseph Swoboda, #19 position as the licensed psychologist eliminating "serving on the Board of Psychologists" and page six, regions to districts and purple to simple.

A motion was made by Gene Cotter and seconded by Shane Stutzman to approve the December 9, 2015, minutes as amended. The motion passed unanimously by acclamation.

3. MEMBERSHIP & ATTENDANCE REVIEW

Membership began with a discussion concerning the shifting of members to new and different positions. Linda Wittmuss, filling position #10 representing Region 5 has taken a new position with the Department of Health & Human Services Behavioral Health and will become the designee for Sheri Dawson, filling position #8.

Kathy Seacrest, Program Director, Region II Human Services presented a nomination for Ingrid Gansebom, Region IV director. A vote will be taken at the June meeting.

A review of attendance, according to the bylaws, brought to the table a request by member Jeffry Beaty, filling position #29 to withdraw his membership and eliminate the position.

Co-Chair Scott asked for a motion to eliminate the position from the bylaws as the committee had added the position specifically at the request of Jeffry Beaty.

A motion was made by Dave Carver and seconded by Joan Huss to eliminate from the bylaws position #29, The Department of Correctional Services Director of Research as requested by Jeffry Beaty. Roll call vote was conducted and the motion passed unanimously.

In concluding the membership portion, Health & Human Services Division of Medicaid and Long Term Care will have an individual to fill the vacant position for the June meeting.

4. SPEAKER / JULIE MICEK

Julie Micek, Programs and Services Specialist with the Office of Probation Administration with staff, Jeremy Behrends and Dean Rohwer updated members on LB605 with much time and effort spent on collaboration with the Department of Correctional Services (DCS) to work on re-entry plans. Behrends and Rohwer were hired to work with clients coming out of the DCS to post release supervision to a probation officer. A plan and process is being developed for transitioning probationers to lower levels of supervision intensity before discharging them. The transition for reentry begins with a meeting with the inmate to determine how to meet their needs when coming out such as transitional housing, medications assistance, driver license, treatment, and any other services the inmate may need when they're leaving the department. The goal is to meet the basic needs and move toward more extensive services. There will be a clear understanding and extensive communication by the probation officer to make sure the client knows exactly where they should be, what programs such as drug testing need to be completed, what services need to be completed, all arrangements should be made so the client thoroughly understands the expectations.

Behrends and Rohwer meet with inmates 120 days out. The first inmate to be released on post release supervision back to Probation will be March 17th.

A handout exhibiting procedures referenced as the "Navigator Timeline for Post Release Supervision Planning for DOC Cases" for inmates with a qualifying factors of being a 3 or 3a or 4 felony and their offense date must have been August 30, 2015 or after. When the judge sentences the inmate, a sentencing order starts the time in DCS. The change to this procedure is that the sentence is a determinate sentence meaning it is an exact amount of time. At the same time, the judge is doing a post release order that indicates conditions to work on while they're in the Department of Corrections.

The goal of the Post Release Supervision Plan is to have an impact with the lower level felony cases to make a positive change prior to leaving the system. The report is a broad overview and any suggestions or assistance would be appreciated as they continue to structure the process. The goal is to use probation rather than incarceration for people convicted of low-level, nonviolent offenses.

Discussing goals, Michael Overton, Chief Technology, Nebraska Crime Commission cited the onerous trickle down impact there will be on local jails, the need for additional officers and services. There is no mechanism at this time to measure changes and the long term impact and needs which makes it very problematic.

Further updates will be made to members. The handouts are attached and considered part of these minutes.

Co-Chair Scott added information in regard to a justice reinvestment grant opportunity specific to housing and partnering with the local jail. The biggest counties that could utilize this opportunity would be Douglas and Lancaster utilizing the jail. Lancaster County did not feel a need to participate but Douglas County was interested in pursuing the opportunity by working with halfway houses specific around substance use and being able to provide treatment as a part transitioning from the institution into the community. The upfront assistance would not only be for the treatment but for the living arrangements when progressing through the programs. More information will be available but the grant is due April 11th.

5. PAROLE ADMINISTRATION UPDATE / CATHY GIBSON-BELTZ

Cathy Gibson-Beltz, Parole Administrator, explained that LB605 required the Parole Administration to move into the 21st century with such things as requiring training for parole staff; requiring sanctions; requiring custodial sanctions which have not yet been started as we are waiting for an opinion from the Attorney General in regard to promulgating rules; risk-needs tool and a violation matrix that exists but has not been utilized by the Board.

There is cleanup legislation for parolees as custodial sanctions are two 30-day sanctions to make it two or three days or custodial sanctions similar to what probation is granted. The change appears to be positive and moving forward. Also language that would allow them, if employed, to continue working while serving a custodial sanction exists.

In addition there is the risk-needs assessment. NDC has chosen the strong R risk assessment, which is a tool utilized on the west coast and other smaller probation agencies. It is a tool that determines risks and needs as well as a case management component. As a part of the contract, it is required that whatever instrument is chosen, it must be compatible with probation so they can communicate with each other. The first implementation meeting was only recently and training for parole staff and the diagnostic and evaluation staff is expected by the end of May.

The changes are a huge shift for the department as corrections has been about keeping people in prison to protect the public instead of programming for what they need. The shift is a priority for Director Frakes and Gibson-Beltz strongly feels that in three years there will be an abundance of programming available where they can finally develop execute up to speed.

Gibson-Beltz is responsible at this time is transitioning adult parole administration's program from the Department of Corrections to a program under the Board of Parole viewing the transitioning as a positive move.

A three member training unit has been hired for to train Parole staff.

The changes are exciting and finally there are some resources to do the things they have discussed throughout the years.

6. PROVIDER SUB-COMMITTEE REPORT / JOAN HUSS

Co-Chair Joan Huss, Licensed Mental Health Practitioner (LMHP), Licensed Alcohol and Drug Counselor (LADC) reported they have been charged with making recommendations for the expansion of the Standardized Model to include mental health services. It is a work in progress at this time and when the task is complete, the recommendations will be brought before the JBHC members.

7. CURRICULUM SUBCOMMITTEE UPDATE / LINDA WITTMUSS

Co-Chair Wittmuss presented the Curriculum Sub-Committee Report. Wittmuss briefly reviewed the progress of the Curriculum Subcommittee noting that the Charge Statement has been met with the "Performance Assessment Rubrics" but Wittmuss reminded members that it is imperative to integrate the Rubrics with any curriculum development, orientation of staff, training, or with any HR or supervisory types of activities. We will continue to have members report how they have integrated and implemented the elements into their programs periodically. Also, as we make progress in training, supervision, standards, or level of performance, it is important to carry the changes over to the Rubrics.

8. BREAK

A short break was announced at 10:27 a.m.

Committee reconvened at 10:40 a.m.

9. DATA SUB-COMMITTEE/

Co-Chair Scott reflected on the challenges with the Data Subcommittee and asked members to evaluate the importance of this subcommittee and what members need to do to make it viable and reconfigure as how to make the subcommittee come together.

Mike Overton, a member of the subcommittee, discussed the limited purpose for the subcommittee without a budget or funding to perform or the authority for that matter.

In considering the tremendous reporting requirements in LB605, perhaps this subcommittee could become an oversight to review reports and make sure they are completed. Perform a critique of information and data collected that can benefit providers and determine how to quantify the process.

Co-Chair Scott briefly reviewed the ideas discussed and asked if there was a chance a new charge statement could be developed. Gene Cotter, Assistant Deputy Administrator, Office of Probation Administration, Programs and Services Division, did not feel a need to change the current charge statement as follows, "To facilitate, coordinate, and make recommendations on issues regarding data and automation relative to the needs and goals of Justice and Behavioral Health. This may include but not limited to: 1. Standardization; 2. Data Sharing; and 3. Report Generalization."

It was determined that the Data Subcommittee would move forward with the following members: Bruce Prenda, Ryan Spohn, Mike Overton, Linda Wittmuss, Scott Carlson and Lisa Sample. Additional members are welcome. Further plans would be made after the June meeting.

10. LEGISLATIVE UPDATE / LAURIE HOLMAN

Laurie Holman, policy analyst for Community Corrections proceeded to review bills on the two handouts. The bill listing indicates bills that would not come out of committee at this point with the exception of LB910, which changes provisions relating to parole administration and is a Judiciary Priority Bill. LB910 ensures that the Inspector General for the Department of Corrections has oversight over the Office of Parole Administration when that office transitions to the Board of Parole as required by LB598. Sections 4, 5, and 7 delays the transfer of the Office of Parole from the Department of Correctional Services to the Board of Parole from its current transfer date of July 1, 2016 to January 1, 2017 and in addition, in Section 5, further reports to the legislature are required. Section 6 changes the appointment process for the Parole Administrator so the Board of Parole chooses their administrator and may remove their administrator through a vote of the Board.

LB915 and LB919 are court pilot project bills and Scott Carlson can discuss their impact.

The other handout briefly presents the contents of the remaining bills of concern.

The handouts are attached and considered part of these minutes.

11. BEHAVIORAL HEALTH UPDATE / LINDA WITTMUSS

Kathy Seacrest, Program Director, Region II Human Services reported on legislation of concern and a legislative oversight committee appointed for behavioral health which will come with data collection as well as oversight and other forms of information. As all of the systems change, behavioral health is often looked to as a solution, however it is traditionally underfunded. A major project that comes about as a part of the legislative oversight is a needs assessment provision. Although the needs assessment was in progress, the project must be completed by June 30th.

A fact sheet on the division needs assessment was distributed. The needs assessment was defined as the process of determining what issues are important to customers and systems served by the Public Behavioral Health Systems. The needs assessment is then paired with Priority Setting, a process for determining which issues are most important and strategic planning to map out how issues can best be addressed.

The other consideration moving forward is System of Care for children's behavioral health initiative; there is a supported employment initiative in Omaha; and supported housing initiative is moving forward to work with a consultant to develop a statewide plan for support housing for individuals with behavioral health disorders. There may be potential for dollars set aside for System of Care for adults as well.

12. PROBATION UPDATE / DEB MINARDI / GENE COTTER

Gene Cotter reported extensive work on LB560 and LB1094. A new initiative request to get Dialectical Behavior Therapy (DBT) put into all the reporting centers to deal with the high risk individuals going through reporting center contracts was just finalized.

The Fee for Services Advisory Committee has met for a second time and are looking at improving our interactions and our system in addition to all the other initiatives progressing but especially as we rework our Fee for Service from both sides. This is part of our infrastructure rebuilding is to improve the way the whole voucher system works to make it more user friendly.

There are actually providers participating in the rebuild to take the valuable information into account.

A comprehensive package was recently submitted to Probation Administrator, Ellen Brokofsky, for review and approval. It is a comprehensive package in terms of not only looking at the providers of services in our network but it has a Standards of Practice for Service; rules regarding financial assistance; and in conjunction with multiple systems in creating comprehensive service definitions beginning by restructuring the juvenile services definitions. Once there is a preliminary first draft, there will be a public vetting process to provide feedback. Plans are to turn to the same process for the adult definitions.

Seacrest expressed concern about consistency and consideration for definitions currently being used. Co-Chair Scott assured Seacrest that they are taking into consideration the adult definitions and verbiage that exist and are expanding along those lines with the intent that it makes it easier for providers, quality assurance, and QI initiatives with providers around those services. As much as possible, they will follow what the division presently has.

The Juvenile Justice Resource Guide has been distributed through the Supreme Court Probation Practices Committee and is available on the Supreme Court website. It is a comprehensive resource and reference guide by district to utilize services.

Co-Chair Scott continued the Probation Update reporting work around the pilot project initiatives with the status of working with behavioral health Regions 5 & 6, and the Division of Behavioral Health on pilot projects in three of the probation districts located in Lancaster County (3J), Douglas County (4J), and Sarpy County which is District 2. The two pilots are around evaluation and a justice wrap around services for justice clients. The justice wrap around services is a nine to 15 month program and is available to 14 clients from a district at one time. Lancaster County has 11 clients to date.

The first grouping of data is about to be released so by the next JBHC meeting; results should be available to members.

13. PROBLEM-SOLVING COURTS / SCOTT CARLSON

Scott Carlson, Statewide Coordinator for Problem-Solving Courts, Nebraska Supreme Court, reviewed legislation around two bills before the Legislature, LB915 and LB919. LB915 would express legislative intent for the Nebraska Supreme Court to establish a three year pilot project to create a veterans' treatment court in Douglas County and LB919 seeks to expand the use of problem-solving courts in Nebraska to include veterans, mental health, DUI, reentry, and other problem-solving programs. LB919 would also state the intent of the Legislature that problem-solving programs use evidence-based interventions, including medication-assisted treatment. Both bills went to the Judiciary Committee and after conference, LB 915 was folded into LB919 and Senator Williams prioritized LB919 and brought the bill out of committee and to the floor where it and sits on Select File at this time but we are confident the bill will pass and go to the Governor for signature.

Senator Williams expressed intent through this bill for the next legislative session to build the momentum to push the idea of mental health courts, DUI courts, and reentry courts to begin. This may also be an opportunity to expand the current problem-solving courts.

A set of statewide standards have been developed for problem-solving courts that have modifications. The National Association of Drug Court Professionals has released a second volume of desk practice standards so there is a need to incorporate where necessary.

A proposal developed will be put to Dr. Weihner with University of Nebraska to go after a BJ grant funding to complete a statewide process outcome and cost/benefits analysis of problem-solving courts. We're at a point, particularly in the five-year strategic plan, to get the cost/benefit

analysis done to demonstrate to the legislature that these programs are not only successful and get outcomes but save taxpayer money.

In considering evidence-based practice and ensuring these programs are viable, there was a rule sent to the Supreme Court around succession planning to ensure that there are procedures for transitions by judges.

14. SEX OFFENDER UPDATE / GENE COTTER

Gene Cotter, Assistant Deputy Administrator, Office of Probation Administration, Programs and Services Division, reported that the committee will be meeting in a couple of weeks and no new action has been taken at this time.

Cotter requested that the minutes reflect the recognition of Cathy Gibson-Beltz who deserves a lot of credit for her work and her efforts by continuing to push forward as Dr. Bruhn from the Department of Corrections and Todd Rosenthal from Parole are members of the Sex Offender Subcommittee and Cathy has indicated she would like to participate when she is available rendering executive branch participation.

Projects presented at a prior meeting should be ready for update and input at the June meeting.

Cotter will forward a listing of subcommittee members.

Co-Chair Scott asked if members had any further information to share.

15. PUBLIC COMMENT

Co-Chair Scott asked for public comments.

With no further business, the Chair proceeded to adjournment.

16. ADJOURNMENT

The next meeting is scheduled for Wednesday, June 8, 2016 at 9:00 a.m.

There being no further business, at 11:40 a.m. the meeting was adjourned.

Respectfully Submitted,

Kitty Policky
Secretary II